

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JIMMY WAYNE PRATT,

Petitioner,

vs.

H.E. LEDEZMA,

Respondent.

NO. CIV-08-1346-HE


**ORDER**

Petitioner Jimmy Wayne Pratt, a federal prisoner appearing *pro se*, instituted this action pursuant to 28 U.S.C. § 2241 seeking habeas relief. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred for initial proceedings to Magistrate Judge Doyle W. Argo, who has recommended that a motion to dismiss filed by the respondent be denied as moot and the petition be dismissed for lack of jurisdiction.

The petitioner, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C. §636(b)(1)(C); LCvR72.1. Accordingly, the court adopts Magistrate Judge Argo's Report and Recommendation and **dismisses** the petition for writ of habeas corpus for lack of jurisdiction.

**IT IS SO ORDERED.**

Dated this 25 day of Aug., 2009.

  
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JOE HEATON  
UNITED STATES DISTRICT JUDGE